

MONAGHAN, MONAGHAN, LAMB &  
MARCHISIO, LLP  
401 East 65<sup>th</sup> Street, Ste. 10C  
New York, New York 10065  
Tel: (212) 541-6080  
Fax: (212) 541-6994

-and-

28 W. Grand Avenue  
Montvale, New Jersey 07645  
Tel: (201) 802-9060  
Fax: (201) 802-9066

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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ANNE BRYANT, ELLEN BERNFELD,  
and GLORYVISION, LTD.,

Doc. No. 07-Civ-3050 (CLB)

Plaintiffs,

-against-

**DECLARATION OF PATRICK  
J. MONAGHAN IN SUPPORT  
OF MOTION FOR SUMMARY  
JUDGMENT**

EUROPADISK, LTD., MEDIA RIGHT  
PRODUCTIONS, INC., VERY COOL MEDIA,  
INC., DOUGLAS MAXWELL, THE ORCHARD  
ENTERPRISES, INC. and RUSSELL J.  
PALLADINO,

Defendants.

-----X

I, Patrick J. Monaghan, Jr., declare under penalty of  
perjury in accordance with the law of The State of New  
Jersey, the following:

1. I am a member of Monaghan, Monaghan, Lamb &  
Marchisio, LLP and a member of the Bar of this Court. I am  
admitted to practice in both New York and New Jersey and  
together with my associate, Michael Korik, am principally  
responsible for the prosecution of this case on behalf of

Plaintiffs.

2. I submit this declaration in support of Plaintiffs' Motion for an Order granting Partial Summary Judgment in favor of Plaintiffs on liability related to all counts pursuant to F.R.C.P. Rule 56.

3. Submitted with this Declaration and the exhibits annexed hereto are the Declarations of Plaintiffs Anne Bryant (and the exhibits annexed hereto), Ellen Bernfeld, the Statement of Facts (and the exhibits annexed hereto), and a Memorandum of Law in support of the relief requested.

4. Attached to this Declaration are the following exhibits which I believe to be true and accurate copies of documents received and or produced in this litigation:

Ex. A - The Orchard / Media Right Agreement dated February 1, 2000

Ex. B - Deposition Transcript of Anne Bryant

Ex. C - Deposition Transcript of Ellen Bernfeld

Ex. D - Deposition Transcript of Douglas Berlent a/k/a/ Douglas Maxwell

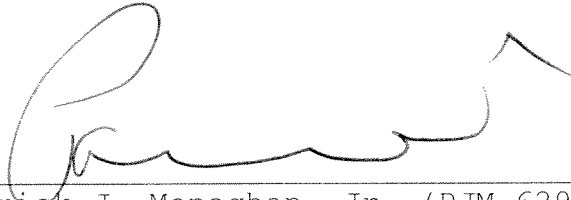
Ex. E - Deposition Transcript of Jason Pascal

Ex. F - Spreadsheet of Downloads Produced By The Orchard Regarding Songs For Dogs/Songs For Cats

I hereby declare the foregoing to be true under penalty of perjury as to those matters known to me. As to the references to the Exhibits listed above, I have seen and

reviewed each of those documents which I reference and believe them to be true and accurate.

Dated: June 6, 2008

A handwritten signature in black ink, appearing to read 'PJM', with a large loop at the start and a sharp upward stroke at the end.

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Patrick J. Monaghan, Jr. (PJM 6297)